



MC 03/05/22

MINUTES FOR CONFIRMATION:

ORDINARY MEETING: 22 APRIL 2022

MINUTES

OF A MEETING OF THE EXECUTIVE MAYOR AND MEMBERS OF THE MAYORAL COMMITTEE OF THE CITY OF CAPE TOWN HELD IN THE COUNCIL CHAMBER, 6TH FLOOR, PODIUM, CIVIC CENTRE, CAPE TOWN ON FRIDAY, 22 APRIL 2022 AT 10:05

Note: Some attendees were present in the venue while others linked in via Skype.

PRESENT

Ald. G Hill-Lewis (Executive Mayor) (Chairperson)
Cllr M Booï (joined via Skype)
Cllr S Mbandezi
Ald. JP Smith
Ald. G Twigg
Ald. T Uys
Cllr P van der Ross
Cllr B van Reenen (joined via Skype)
Ald. J Vos

LEAVE/APOLOGIES

Ald. E Andrews
Cllr Z Badroodien
Cllr R Quintas

VISITING COUNCILLORS

Ald F Purchase (Speaker)

Note: Some of the officials were present in the venue while others linked in via Skype.

EXECUTIVE MANAGEMENT TEAM

Mr K Jacoby (acting on behalf of the City Manager and Chief Financial Officer)
Mr V Botto (Acting ED: Safety and Security)
Ms D Campbell (ED: Urban Mobility)
Ms R Gelderbloem (Acting ED: Economic Growth)
Ms N Gqiba (ED: Human Settlements)
Mr K Jacoby (Chief Financial Officer)
Mr R Keraan (Acting ED: Urban Waste Management)
Ms L Mahomed Weideman (acting on behalf of the ED: Energy)
Ms Z Mandlana (Acting ED: Corporate Services)
Mr G Morgan (Acting ED: Future Planning & Resilience)
Ms E Naudé (Acting ED: Spatial Planning & Environment)
Mr M Webster (ED: Water & Sanitation)
Dr A Zimba (acting on behalf of the ED: Community Services and Health)

OTHER OFFICIALS

Mr B Brown
 Mr M De Jongh
 Mr A Hazell
 Mr T Hollis-Turner
 Ms J Holt
 Mr Z Hoosain
 Ms C Knott
 Mr J Liebenberg
 Mr Z Mohamed
 Ms L Ndaba
 Ms V Ngcobozi
 Ms M Noonan
 Ms R Sayed
 Ms N Solwandle
 Mr L Tyhalibongo
 Ms O Vumindaba

PUBLIC AND PRESS

M Barnard Netwerk 24

EXECUTIVE COMMITTEE SERVICES

Ms R Razack
 Mr G Josephs
 Mr M Carolus

MC 22/04/22 OPENING

The Executive Mayor, Ald. G Hill-Lewis welcomed all those present to the meeting.

MC 23/04/22 APOLOGIES/LEAVE OF ABSENCE

It was noted that apologies were received for the Executive Deputy Mayor, Ald. E Andrews, Cllr Z Badroodien (Mayco Member: Water and Sanitation) and Cllr R Quintas (Mayco Member: Urban Mobility).

It was further noted that:

- Cllr M Booi (Mayco Member: Human Settlements) and Cllr B van Reenen (Mayco Member: Energy) joined the meeting via Skype;
- an apology was received from Cllr D Visagie (Chief Whip);
- apologies were received for apologies were received for Mr L Mbandazayo (City Manager), Mr E Sass (ED: Community Services and Health) and Mr K Nassiep (ED: Energy).

RESOLVED that leave of absence for this meeting be granted to the Executive Deputy Mayor, Ald. E Andrews, Cllr Z Badroodien and Cllr R Quintas.

ACTION: G JOSEPHS

MC 24/04/22 CONFIRMATION OF MINUTES OF ORDINARY MAYCO MEETING HELD ON 5 APRIL 2022

RESOLVED that the minutes of the Ordinary Mayoral Committee meeting held on 5 April 2022, be confirmed.

ACTION: G JOSEPHS

EXECUTIVE MAYOR

***FOR DECISION BY THE EXECUTIVE MAYOR
TOGETHER WITH MEMBERS OF MAYCO***

MC 25/04/22 CITY OF CAPE TOWN CORPORATE RISK REGISTER

RESOLVED that the updated City of Cape Town Corporate Risk Register be noted for oversight purposes and referred to EMT for remedial action, where required.

ACTION: M NOONAN; L GELDENHUYS; L MBANDAZAYO

MC 26/04/22 REQUEST FOR APPROVAL FOR THE VIREMENTATION OF FUNDS ON THE 2021/22 CAPITAL BUDGET (URBAN MOBILITY DIRECTORATE - MCVR48) (LSU J4394)

RESOLVED that the virements contained in Annexure A and B to the report on the agenda, be approved.

ACTION: J STEYL; K JACOBY; D CAMPBELL

MC 27/04/22 REQUEST FOR APPROVAL FOR THE VIREMENTATION OF FUNDS ON THE 2021/22 CAPITAL BUDGET (ENERGY DIRECTORATE - MCVR49) (LSU J4394)

RESOLVED that the virements contained in Annexure A and B to the report on the agenda, be approved.

ACTION: J STEYL; K JACOBY; K NASSIEP

MC 28/04/22 VIREMENTS APPROVED AND PROCESSED FOR QUARTER 3 OF THE 2021/22 FINANCIAL YEAR (JANUARY TO MARCH 2022) (LSU L3870)

RESOLVED that the capital and operating virements approved and processed for quarter three of the 2021/22 financial year (January to March 2022), be noted.

ACTION: J STEYL; K JACOBY

MC 29/04/22 2022/2023 SALGA MEMBERSHIP FEES (LSU N2860)

RESOLVED that the payment to SALGA in amount of R16 370 025.70 for the 2022/23 financial year, be approved.

ACTION: R RAZACK; K JACOBY

MC 30/04/22 REQUEST FOR AUTHORITY FOR THE CITY OF CAPE TOWN TO BECOME A MEMBER OF THE RESILIENT CITIES NETWORK (RCN) (LSU N2647 & N2671)

RESOLVED that approval be granted for the City's proposed membership of the Resilient Cities Network (RCN) for three years beginning on the first calendar day of the month following the date of approval.

ACTION: D VAN SCHALKWYK; G MORGAN

MC 31/04/22 REQUEST FOR AUTHORITY FOR CAPE TOWN, THE REPUBLIC OF SOUTH AFRICA TO ENTER INTO A COOPERATION ARRANGEMENT WITH THE NAIROBI CITY COUNTY, REPUBLIC OF KENYA (LSU N3061)

Ald. Vos highlighted the areas of cooperation and the objectives of the proposed cooperation arrangement to be entered into with the Nairobi City County.

RESOLVED that approval be granted for the signing of the Cooperation Arrangement between Cape Town and Nairobi.

ACTION: D VAN SCHALKWYK; G MORGAN

FOR DECISION BY COUNCIL

MC 32/04/22 WITHDRAWALS FROM MUNICIPAL BANK ACCOUNTS FOR THE QUARTER ENDING MARCH 2022 (LSU H5396)

It is **RECOMMENDED** that the report on the withdrawals made from the City's bank accounts for the quarter ending March 2022, be noted.

ACTION: N MEISSENHEIMER; D VALENTINE; K JACOBY

MC 33/04/22 NEDBANK SHORT-TERM DEBT FACILITIES FOR THE PERIOD 1 JULY 2022 TO 31 MARCH 2023 (LSU J3782)

It is **RECOMMENDED** that, in terms of Section 45(2)(a) of the Local Government: Municipal Finance Management Act (MFMA), Act 56 of 2003:

- (a) The short-term debt facilities for the period 1 July 2022 to 31 March 2023, as listed below and included in the Nedbank Facilities agreement to be entered into between the City of Cape Town and Nedbank Limited, be approved:
- General Banking Facility (Overdraft Facility) R 800 000 000
 - Guarantee Facility (cash covered) R 150 000 000
 - Guarantee Facility (non-cash covered) R 30 000 000
 - Business Travel Card (monthly limit) R 2 000 000
 - Forward Exchange Contract R 74 000 000
 - Letter of Credit R 16 000 000
- (b) The City Manager, or his delegated authority, be authorised to reallocate from the general banking facility towards the different categories as listed in (a) above, in order to maximise the benefits to the City.

ACTION: N MEISSENHEIMER; D VALENTINE; K JACOBY

MC 34/04/22 TO REVIEW AND AMEND COUNCIL RESOLUTION C19A/01/21 PERTAINING TO THE MOTHBALLING OF SEVEN FACILITIES IN CLOSE PROXIMITY (LSU N2875)

It is **RECOMMENDED** that:

- (a) Recommendation (e) contained in Council resolution C19A/01/21 be reviewed and amended for the reasons mentioned in the report on the agenda, in order for it to read as follows:

The City clinic network be rationalised / optimised to reduce the financial burden on the City and thereby improve service efficiency, including negotiating the transfer of shared facilities and mothballing of facilities (only in relation to the two satellite facilities, namely Honeyside and Newfields) in close proximity by June 2022, where this process must be concluded and should be appropriately recorded in the SLA, that will be signed with the Provincial Department of Health.

- (b) Council note that as a result of the abovementioned recommendation, the following facilities remain open: Elsie River, Maitland, Northpine, Rocklands, Eastridge, Alphen and Lavender Hill Clinics.

ACTION: N MEISSENHEIMER; P NKURUNZIZA; E SASS

MC 35/04/22 TRANSFER OF FUNDS FOR THE PAYMENT OF RETENTION ON THE BONTEHEUWEL TOWN CENTRE UPGRADE FENCING PROJECT IN THE 2021/2022 FINANCIAL YEAR (LSU N2945)

It is **RECOMMENDED** that the transfer from WBS element CPX.0020023-F1 Bonteheuwel Town Centre Upgrade Building to WBS CPX.0020024-F1 Bonteheuwel Town Centre Upgrade Fencing in the amount of R8 981 VAT exclusive to be funded by 1 EFF:2 in the 2021/2022 financial year, be approved.

ACTION: N MEISSENHEIMER; A GRAHAM; E NAUDÉ

MC 36/04/22 PROPOSED CLOSURE OF PORTION OF PUBLIC PLACE: PORTION OF ERF 620-RE RUSTDAL (LSU N2348)

It is **RECOMMENDED** that, in terms of section 4(2)(f) of the City of Cape Town: Immovable Property By-Law, 2015, Council grants approval that, by Notice in the Provincial Gazette public place portion of Erf 620-RE Rustdal, as depicted on Annexure A to the report on the agenda, be closed.

ACTION: N MEISSENHEIMER; A KLUE; D GEYSMAN; M SIMS; R GELDERBLOEM

MC 37/04/22 ACQUISITIVE PRESCRIPTIVE CLAIM OVER PORTION OF UNREGISTERED STATE LAND (CLOSED ROAD) ABUTTING ERF 149639, KLOOF STREET, CAPE TOWN: SAGGY STONE BREWING COMPANY (PTY) LTD (LSU N2507)

It is **RECOMMENDED** that:

- (a) Based on the evidence submitted by the claimant, Council in terms of the provisions of Clause 5 of the City of Cape Town: Immovable Property By-law, 2015, read with Section 1 of the Prescription (Local Authorities) Ordinance No. 16 of 1964, admit and concede to the Acquisitive Prescriptive Claim over portion of Closed Road (Unregistered State Land), abutting Erf 149639, situated at Kloof Street, Cape Town, measuring in extent approximately 49 m² as depicted by the figure ABCDE on the plan marked as Annexure A to the report on the agenda, in favour of Saggy Stone Brewery Co. (Pty) Ltd or its successors-in-title.
- (b) The subject property be notarially tied to the claimant's property, being Erf 149639, Cape Town for the reasons set out in the report on the agenda.
- (c) All costs in connection with the transaction are to be borne by the claimant.

- (d) Approval be subject to compliance with any other statutory requirement.

**ACTION: N MEISSENHEIMER; C DAVIS; R SCHNACKENBERG;
M SIMS; R GELDERBLOEM**

ECONOMIC GROWTH PORTFOLIO

FOR DECISION BY COUNCIL

MC 38/04/22 AUTHORISATION TO COMMENCE WITH PUBLIC PARTICIPATION PROCESS IN TERMS OF THE MUNICIPAL ASSET TRANSFER REGULATIONS (MATR) FOR THE PROPOSED GRANTING OF LONG TERM RIGHTS TO USE, CONTROL AND/OR MANAGE, BY WAY OF PUBLIC COMPETITION THE CITY-OWNED LAND BEING PORTIONS OF ERF 1056-RE CAPE TOWN, SITUATED AT BILL PETERS DRIVE, GREEN POINT FOR USAGE AS A SPORTING CLUB AND PARKING (LSU M0958)

It is **RECOMMENDED** that, in terms of Regulation 34(3)(a) of the Municipal Asset Transfer Regulations (MATR), promulgated on 22 August 2008, Council authorise the City Manager to conduct the public participation process for the proposed granting of rights to use, control, and manage by public competition, a portion of Erf 1056-RE Cape Town, situated at Bill Peters Drive, Green Point for the purpose of usage as a gym/sporting club and parking.

**ACTION: N MEISSENHEIMER; C EASTLAND; S MUKORI;
M SIMS; R GELDERBLOEM**

MC 39/04/22 PROPOSED LEASE OF PORTION OF PUBLIC STREET, UNREGISTERED STATE LAND, ABUTTING ERF 2042 GREEN POINT, MAIN ROAD, GREEN POINT, CAPE TOWN FOR RESTAURANT PURPOSES: K2014091755 PTY LTD (SHORT STAY HOTEL) (LSU N1608)

It is **RECOMMENDED** that the lease of Public Street, being a portion of Unregistered State Land, abutting Erf 2042, Green Point situated at Main Road, Green Point, Cape Town shown hatched and lettered ABCD on the Sketch 130007923 marked Annexure A to the report on the agenda, in extent approximately 41 m², to K2014091755 Pty Ltd (Short Stay Hotel), owner of Erf 2042, Green Point, or its successors-in-title, be approved, subject to *inter alia* the following conditions, that:

- (a) A market rental of R5 500.00 per month inclusive of rates and excluding VAT calculated at the rate applicable at the time of transaction be payable.

- (b) The monthly rental shall escalate at 6% per annum compounded annually on a pro rata basis commencing 6 months from date of valuation, i.e. as from 1 October 2021. Accordingly, the above recommended rental is effective and payable as from 1 October 2021.
- (c) The lease will endure for a period of 10 (ten) years, subject to a rental review after a period of 2 (two) years; i.e. first review by 1 April 2023.
- (d) The property be used for restaurant purpose only.
- (e) Subject to such further conditions to be imposed by the Director: Property Management in terms of his/her delegated authority.
- (f) Subject to compliance with any other statutory requirements.
- (g) No compensation will be payable for any improvement made to the property.

**ACTION: N MEISSENHEIMER; N VANQA; R SCHNACKENBERG;
M SIMS; R GELDERBLOEM**

SPATIAL PLANNING & ENVIRONMENT

FOR DECISION BY COUNCIL

MC 40/04/22 REVIEW REPORT ON THE CITY OF CAPE TOWN MUNICIPAL PLANNING BY- LAW, 2015 AND THE CITY OF CAPE TOWN DEVELOPMENT MANAGEMENT SCHEME (LSU: N2160)

It was proposed that, in support of creating economic opportunities and the ease of doing business, the following principles be approved as part of the Municipal Planning By-law review:

- (i) First and foremost, the amendments are to be considered within the context of the priorities of the soon-to-be-adopted IDP - in particular, placing meaningfully faster economic growth and job creation at the apex of everything we do;
- (ii) A facilitative approach with the private sector;
- (iii) The overall aim needs to be to simplify the Development Management Scheme and MPBL to make it more accessible and understandable i.e. remove rules, rather than adding more;
- (iv) Considering the categories of land use to create more flexibility - work from home, appropriate densification opportunities, flexibility to increase development rights without the need for rezoning in specific areas;

- (v) Reduce the number of applications that are required by allowing several submissions to be made at the same time in a seamless process;
- (vi) Allow for simultaneous submission of land use applications and building plans that could be considered in parallel to reduce time frames;
- (vii) Reduction of administrative processes to allow faster processing of applications, but not at the cost of public participation;
- (viii) The removal of unnecessary prescriptive red-tape;
- (ix) Only include conditions that are realistic and implementable and necessary;
- (x) Include mechanisms or structures to improve communication and engagement between internal departments to be able to resolve concerns / conditions proactively, such as development charges;
- (xi) More plentiful formal housing;
- (xiii) Support transport-oriented densification;
- (xiv) Help facilitate micro-developments and the formalisation of informal settlements.

The above proposal was duly supported.

It is **RECOMMENDED** that:

- (a) The proposed amendments to the City of Cape Town Municipal Planning By-law, 2015, inclusive of the City of Cape Town Development Management Scheme, identified in Annexure F to the report on the agenda, be formally investigated and proceeded with.
- (b) The number of deviations from the Municipal Spatial Development Framework and the nature and reasons therefore, as per Annexure G to the report on the agenda, be noted.
- (c) The responses to comments received as a result of the review process, be noted as per Annexure D and E to the report on the agenda.
- (d) In support of creating economic opportunities and the ease of doing business, the following principles be approved as part of the Municipal Planning By-law review:

- (i) First and foremost, the amendments are to be considered within the context of the priorities of the soon-to-be-adopted IDP - in particular, placing meaningfully faster economic growth and job creation at the apex of everything we do;
 - (ii) A facilitative approach with the private sector;
 - (iii) The overall aim needs to be to simplify the Development Management Scheme and Municipal Planning By-law to make it more accessible and understandable i.e. remove rules, rather than adding more;
 - (iv) Considering the categories of land use to create more flexibility - work from home, appropriate densification opportunities, flexibility to increase development rights without the need for rezoning in specific areas;
 - (v) Reduce the number of applications that are required by allowing several submissions to be made at the same time in a seamless process;
 - (vi) Allow for simultaneous submission of land use applications and building plans that could be considered in parallel to reduce time frames;
 - (vii) Reduction of administrative processes to allow faster processing of applications, but not at the cost of public participation;
 - (viii) The removal of unnecessary prescriptive red-tape;
 - (ix) Only include conditions that are realistic and implementable and necessary;
 - (x) Include mechanisms or structures to improve communication and engagement between internal departments to be able to resolve concerns / conditions proactively, such as development charges;
 - (xi) More plentiful formal housing;
 - (xiii) Support transport-oriented densification;
 - (xiv) Help facilitate micro-developments and the formalisation of informal settlements.
- (e) Any further proposed amendments identified be included in phase 2 of the review project.
- (f) The objections received not be upheld for the reasons stated in the report on the agenda.

**ACTION: N MEISSENHEIMER; S DE JAGER; C WALTERS;
E NAUDÉ**

ECONOMIC GROWTH PORTFOLIO

***FOR DECISION BY THE EXECUTIVE MAYOR
TOGETHER WITH MEMBERS OF MAYCO***

**MC 41/04/22 ECONOMIC GROWTH DRAFT DIRECTORATE SERVICE
DELIVERY AND BUDGET IMPLEMENTATION PLAN (SDBIP) FOR
2022/2023 (LSU N2802)**

A replacement SDBIP Scorecard was tabled at the meeting, a copy of which is attached to the official minutes.

It was noted that a workshop of the Economic Growth Portfolio Committee is scheduled for 26 April 2022 to discuss the draft 2022/2023 Directorate SDBIP.

The Executive Mayor requested that it be ensured that the final 2022/2023 Directorate SDBIP to be submitted to Mayco at a later stage also contains the information with regard to the Urban Catalytic Investment Department.

RESOLVED that the draft Economic Growth Directorate Service Delivery and Budget Implementation Plan (SDBIP) for 2022/23, be approved.

ACTION: C BENJAMIN; R GELDERBLOEM

SAFETY AND SECURITY PORTFOLIO

FOR DECISION BY COUNCIL

**MC 42/04/22 SAFETY AND SECURITY: 2021/22 SECOND QUARTER'S
PROGRESS REPORT ON THE DIRECTORATE PERFORMANCE
(LSU N2411)**

The Mayco Member for Safety and Security, Ald. JP Smith, highlighted some of the achievements of the directorate with regard to the following indicators:

- reduction in the number of fire related deaths per 1000 population;
- percentage calls answered within 10 seconds by the Public Emergency Communication Centre;
- increased number of fire safety inspections.

It is **RECOMMENDED** that the 2021/22 second quarter progress report on the Safety and Security Directorate's performance, be noted.

**ACTION: N MEISSENHEIMER; N CLEINWERCK; A VISSER;
V BOTTO**

SPATIAL PLANNING & ENVIRONMENT

FOR DECISION BY COUNCIL

MC 43/04/22 APPLICATION TO EXTEND THE TERM OF THE BEACONVALE IMPROVEMENT DISTRICT (BVID) FROM 1 JULY 2022 TO 30 JUNE 2027 (LSU N2088)

It is **RECOMMENDED** that:

- (a) Council approve, in terms of section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the Beaconvale Improvement District (BVID) term from 1 July 2022 to 30 June 2027.
- (b) Council approve the BVID's new 5-year Business Plan for the period 1 July 2022 to 30 June 2027.
- (c) The City of Cape Town imposes the levying of an additional rate on properties in the BVID from 1 July 2022 in terms of section 22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004.

ACTION: N MEISSENHEIMER; E SCOTT; E NAUDÉ

MC 44/04/22 APPLICATION TO EXTEND THE TERM OF THE EPPING CITY IMPROVEMENT DISTRICT (ECID) FROM 1 JULY 2022 TO 30 JUNE 2027 (LSU N2088)

It is **RECOMMENDED** that:

- (a) Council approve, in terms of section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the Epping City Improvement District (ECID) term from 1 July 2022 to 30 June 2027.
- (b) Council approve the ECID's new 5-year Business Plan for the period 1 July 2022 to 30 June 2027.
- (c) The City of Cape Town imposes the levying of an additional rate on properties in the ECID from 1 July 2022, in terms of section 22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004.

ACTION: N MEISSENHEIMER; E SCOTT; E NAUDÉ

MC 45/04/22 APPLICATION TO EXTEND THE TERM OF THE MONTAGUE GARDENS - MARCONI BEAM IMPROVEMENT DISTRICT (MMID) FROM 1 JULY 2022 TO 30 JUNE 2027 (LSU N2088)

It is **RECOMMENDED** that:

- (a) Council approve, in terms of section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the Montague Gardens - Marconi Beam Improvement District (MMID) term from 1 July 2022 to 30 June 2027.
- (b) Council approve the MMID's new 5-year Business Plan for the period 1 July 2022 to 30 June 2027.
- (c) The City of Cape Town imposes the levying of an additional rate on properties in the MMID from 1 July 2022, in terms of section 22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004.

ACTION: N MEISSENHEIMER; E SCOTT; E NAUDÉ

MC 46/04/22 APPLICATION TO EXTEND THE TERM OF THE NORTHPINE IMPROVEMENT DISTRICT (NCID) FROM 1 JULY 2022 TO 30 JUNE 2027 (LSU N2088)

It is **RECOMMENDED** that:

- (a) Council approve, in terms of section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the Northpine Improvement District (NCID) term from 1 July 2022 to 30 June 2027.
- (b) Council approve the NCID's new 5-year Business Plan for the period 1 July 2022 to 30 June 2027.
- (c) The City of Cape Town imposes the levying of an additional rate on properties in the NCID from 1 July 2022, in terms of section 22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004.

ACTION: N MEISSENHEIMER; E SCOTT; E NAUDÉ

MC 47/04/22 APPLICATION TO EXTEND THE TERM OF THE OBSERVATORY IMPROVEMENT DISTRICT (OBSID) FROM 1 JULY 2022 TO 30 JUNE 2027 (LSU N2088)

It is **RECOMMENDED** that:

- (a) Council approve, in terms of section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the

Observatory Improvement District (OBSID) term from 1 July 2022 to 30 June 2027.

- (b) Council approve the OBSID's new 5-year Business Plan for the period 1 July 2022 to 30 June 2027.
- (c) The City of Cape Town imposes the levying of an additional rate on properties in the OBSID from 1 July 2022, in terms of section 22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004.

ACTION: N MEISSENHEIMER; E SCOTT; E NAUDÉ

MC 48/04/22 APPLICATION TO EXTEND THE TERM OF THE PENZANCE ESTATE SPECIAL RATING AREA (PESRA) FROM 1 JULY 2022 TO 30 JUNE 2027 (LSU N2088)

It is **RECOMMENDED** that:

- (a) Council approve, in terms of section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the Penzance Estate Special Rating Area (PESRA) term from 1 July 2022 to 30 June 2027.
- (b) Council approve the PESRA's new 5-year Business Plan for the period 1 July 2022 to 30 June 2027.
- (c) The City of Cape Town imposes the levying of an additional rate on properties in the PESRA from 1 July 2022, in terms of section 22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004.

ACTION: N MEISSENHEIMER; E SCOTT; E NAUDÉ

MC 49/04/22 APPLICATION TO EXTEND THE TERM OF THE VOORTREKKER ROAD CORRIDOR IMPROVEMENT DISTRICT (VRCID) FROM 1 JULY 2022 TO 30 JUNE 2027 (LSU N2088)

It is **RECOMMENDED** that:

- (a) Council approve, in terms of section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the Voortrekker Road Corridor Improvement District (VRCID) term from 1 July 2022 to 30 June 2027.
- (b) Council approve the VRCID's new 5-year Business Plan for the period 1 July 2022 to 30 June 2027.
- (c) The City of Cape Town imposes the levying of an additional rate on properties in the VRCID from 1 July 2022, in terms of section

22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004.

ACTION: N MEISSENHEIMER; E SCOTT; E NAUDÉ

MC 50/04/22 APPLICATION TO EXTEND THE TERM OF THE VREDEKLOOF COMMUNITY IMPROVEMENT DISTRICT (VCID) FROM 1 JULY 2022 TO 30 JUNE 2027 (LSU N2088)

It is **RECOMMENDED** that:

- (a) Council approve, in terms of section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the Vredenkloof Community Improvement District (VCID) term from 1 July 2022 to 30 June 2027.
- (b) Council approve the VCID's new 5-year Business Plan for the period 1 July 2022 to 30 June 2027.
- (c) The City of Cape Town imposes the levying of an additional rate on properties in the VCID from 1 July 2022, in terms of section 22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004.

ACTION: N MEISSENHEIMER; E SCOTT; E NAUDÉ

MC 51/04/22 APPLICATION TO EXTEND THE TERM OF THE WOODSTOCK IMPROVEMENT DISTRICT (WID) FROM 1 JULY 2022 TO 30 JUNE 2027 (LSU N2088)

It is **RECOMMENDED** that:

- (a) Council approve, in terms of section 15 of the Special Rating Area By-law, 2012, as amended, the extension of the Woodstock Improvement District (WID) term from 1 July 2022 to 30 June 2027.
- (b) Council approve the WID's new 5-year Business Plan for the period 1 July 2022 to 30 June 2027.
- (c) The City of Cape Town imposes the levying of an additional rate on properties in the WID from 1 July 2022, in terms of section 22(1)(b) of the Local Government: Municipal Property Rates Act (MPRA), Act 6 of 2004.

ACTION: N MEISSENHEIMER; E SCOTT; E NAUDÉ

WATER AND SANITATIO PORTFOLIO

FOR DECISION BY COUNCIL

MC 52/04/22 WATER SERVICES DEVELOPMENT PLAN: FINANCIAL YEAR 2022/23 - 2026/27 (LSU N1996)

The following inputs/comments were made with regard to the Water Services Development Plan: Financial Year 2022/23 - 2026/27:

The Executive Mayor addressed the Water Services Development Plan: Financial Year 2022/23 - 2026/27 as per the agenda and raised four items that require revision:

- Paragraph 1 on agenda page number 1049 - # of informal settlements should be # of informal settlement households;
- Table 18 on agenda page number 1085 - the debit impairment figure reflected appears to be improbable and should be determined in conjunction with the CFO;
- KPI's reflected on agenda page number 1117 - targets with regard to pipe replacement and river and vleis samples need to reflect MPP targets;
- KPI 9.3 on agenda page number 1121 - collection rate targets need to increase to 90% (as per baselines determined in the SDBIP).

The Executive Mayor proposed that the abovementioned revision requests be supported for inclusion in the Water Services Development Plan and that the ED: Water and Sanitation be tasked to include the items in the Plan prior to it being submitted to Council for consideration.

The above proposal was duly supported.

It is **RECOMMENDED** that the Water Services Development Plan: Financial Year 2022/23 - 2026/27 attached as Annexure C to the report on the agenda, be approved.

ACTION: N MEISSENHEIMER; D PAULSE; S MANIE; J DE BRUYN; Z BASHOLO; M WEBSTER

EXECUTIVE MAYOR

***FOR DECISION BY THE EXECUTIVE MAYOR
TOGETHER WITH MEMBERS OF MAYCO***

MC 53/04/22 KEY OPERATIONAL INDICATORS (KOIs) FOR 2022/2023 (LSU K4100)

With reference to the indicators on page 10 of the agenda (Volume 5), it was proposed that the Key Operational Indicators for 2022/23, be approved, subject to the following changes:

- The indicator on *Tenders completed as per the demand plan (%)* for 30 June 2023 be adjusted to 90%.
- The annual target for the above indicator for 2021/2022 be adjusted to 90%.

The above proposal duly supported.

RESOLVED that the Key Operational Indicators for 2022/23, be approved, subject to the following changes:

- The indicator on *Tenders completed as per the demand plan (%)* for 30 June 2023 be adjusted to 90%.
- The annual target for the above indicator for 2021/2022 be adjusted to 90%.

ACTION: M FILLIES; C JANUARY; G MORGAN

ECONOMIC GROWTH

FOR DECISION BY COUNCIL

MC 54/04/22 PROPOSED LEASE OF CITY LAND, BEING A PORTION OF ERF 149100 CAPE TOWN, CORNER OF CHADWIN ROAD AND APPOLLO WAY, HEATHFIELD: SOUTH PENINSULA HIGH SCHOOL (LSU N2256)

It is **RECOMMENDED** that the lease of a portion of City land, being a portion of Erf 149100, Cape Town situated at the corner of Chadwin Road and Appollo Way, Heathfield, shown bordered grey and lettered ABCDE on Plan 130008360 marked as Annexure A to the report on the agenda, in extent approximately 3 766 m², to South Peninsula High School, Old Kendal Road, Diep River, be approved, subject to *inter alia* the following conditions, that:

- (a) A rental of R995,65 per annum excluding VAT and other fees and charges, subject to the following conditions:
 - (i) The lease to be for a period of 10 years, with a 5-year review.
 - (ii) The rental to increase in accordance with the City's tariff structure as approved by Council and as may be amended from time to time.
 - (iii) The subject property to be used for tennis courts only. No permanent structures to be erected thereon.

- (iv) Access to the subject property by the general public when not being used by the school for sport purposes, shall not be restricted in any way and offered free of charge.
- (v) Consent to be obtained for any commercial activities on the subject property, i.e. private coaching, in such instance, the rental will need to be reviewed.
- (b) Subject to such further conditions imposed by the Director: Property Management in terms of her delegated authority.
- (c) Subject to compliance with any other statutory requirements.
- (d) No compensation will be payable for any improvement made to the property.
- (e) Adherence to the requirements of the City of Cape Town's Water By-law.
- (f) The City of Cape Town has the right to construct and/or erect and lay such poles, stays, cables, wires, or appurtenances relating thereto as may be necessary, together with the right to use, inspect, maintain, repair, alter, relay and/or remove all such poles, stays, cables, wires or appurtenances aforesaid. This includes the right to bring machinery onto property and to carry out excavations.
- (g) The City of Cape Town has the right for any employee, servant, or contractor of the City of Cape Town to enter and be upon the property at any time in the exercise of the aforesaid rights.
- (h) No building, containers or structure may be erected within 3 metres of the electricity services.
- (i) No excavation or filling may be carried out within the leased area without the prior written consent of the Director: Electricity Services via the wayleave approval process. All excavations within 3 metres of the electrical services must be carried out under the direction of a representative of the Electricity Department. In this regard, contact the Directorate two weeks before the commencement of work.
- (j) No stake, pegs or pins may be driven into the ground within 1 metre of any part of the electricity services.
- (k) No plant or material may be stored within 1 metre of any part of the electricity services.
- (l) No mechanical plant may be used within 3 metres of medium voltage cable or 5 metres of high voltage cable.

- (m) It is the responsibility of the applicant to notify Telkom immediately should the applicant locate any Telkom plant, which may not be indicated on the plan.
- (n) Telkom requires access to carry out maintenance or upgrade existing plants at all times.
- (o) The objection from Heathfield Tennis Club not be upheld and that the alternative proposal not be recommended.

**ACTION: N MEISSENHEIMER; L ARON; R SCHNACKENBERG;
M SIMS; R GELDERBLOEM**

EXECUTIVE MAYOR

***FOR DECISION BY THE EXECUTIVE MAYOR
TOGETHER WITH MEMBERS OF MAYCO***

MC 55/04/22 ATTENDANCE AT AFRICA'S TRAVEL INDABA TAKING PLACE IN KWAZULU-NATAL AT THE INKOSI ALBERT LUTHULI ICC (FORMERLY KNOWN AS THE DURBAN ICC) FROM 3 – 5 MAY 2022

RESOLVED that:

- (a) Ald J Vos, Mayco Member for Economic Growth together with Ald C Justus, Chairperson of the Economic Growth Portfolio Committee, Cllr S Taliep and Cllr D Ngubelanga, members of the Economic Growth Portfolio Committee attend the Africa Travel Indaba in Durban from 3 to 5 May 2022.
- (b) The total cost to Council for the trip amounting to R37 572.96 be approved.

ACTION: N TALLIARD; J VAN AS; R RAZACK; Z MANDLANA

MC 56/04/22 ADDITIONAL DOCUMENTATION FROM THE TRAVEL MANAGEMENT SERVICE PROVIDER RE: REGULARISATION OF TRAVEL COSTS AFTER THE TRIP HAS TAKEN PLACE WHERE THE ACTUAL COSTS EXCEED THE AUTHORISED COSTS BY MORE THAN 20% - MC29/03/22

RESOLVED that:

- (a) The actual costs of R6 311,58 be regularised in terms of Paragraph 18.4 of the Travel Management Policy.
- (b) The supporting documents be accepted and the matter be resolved.

ACTION: N TALLIARD; J VAN AS; R RAZACK; Z MANDLANA

ADDITIONAL MATTER:

MC 57/04/22 MATTERS RECEIVING ATTENTION LIST AS AT 22 APRIL 2022

RESOLVED that the Mayco Matters Receiving Attention list as at 22 April 2022, be noted.

ACTION: G JOSEPHS

THE MEETING ENDED AT 10:39

CHAIRPERSON: _____

DATE: _____